



County of Los Angeles CHIEF EXECUTIVE OFFICE

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WILLIAM T FUJIOKA
Chief Executive Officer

November 20, 2007

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**DEPARTMENT OF PUBLIC HEALTH: APPROVAL OF A CHILD
PASSENGER SAFETY TRUST FUND PROGRAM
(ALL SUPERVISORIAL DISTRICTS)
(3 VOTES)**

IT IS RECOMMENDED THAT YOUR BOARD:

1. Approve and instruct the Director of the Department of Public Health (DPH), or his designee, to enter into two agreements substantially similar to Exhibit I, with Los Angeles Unified School District (LAUSD), and The Children's Collective, Inc, (CC) for the provision of the Child Passenger Safety Trust Fund Program (CPSTFP), which provides child passenger safety seat educational programs, child safety seat vouchers and car seats to low-income families, effective upon date of Board approval through November 19, 2008, with provisions for four, one-year automatic renewals through November 19, 2012, contingent upon the availability of funds, for a total potential maximum obligation of \$550,000 for LAUSD (\$110,000 per year), and \$275,000 for CC (\$55,000 per year), 100 percent offset by revenue collected from fines assessed by the courts for the misuse or non-use of child passenger safety seats.
2. Approve and instruct the Director, or his designee, to enter into a sole source agreement substantially similar to Exhibit I, with New Economics for Women (NEW) for the provision of CPSTFP, which provides safety seat educational programs, and

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Fifth District

child safety seat vouchers or car seats to low-income families, effective upon date of Board approval through November 19, 2008, with provisions for four, one-year automatic renewals through November 19, 2012, contingent upon the availability of funds, for a total potential maximum obligation of \$550,000 (\$110,000 per year), 100 percent offset by revenue collected from fines assessed by the courts for the misuse or non-use of child passenger safety seats.

3. Approve and instruct the Director of DPH, or his designee, to enter into a sole source agreement substantially similar to Exhibit II, with SafetyBeltSafe U.S.A. (SBS), to provide programmatic technical assistance to LAUSD, CC, and NEW, effective upon date of Board approval through November 19, 2008, with provisions for four, one-year automatic renewals through November 19, 2012, contingent upon the availability of funds, for a total potential maximum obligation of \$148,000 (\$29,561 per year), 100 percent offset by revenue collected from fines assessed by the courts for the misuse or non-use of child passenger safety seats.
4. Delegate authority to the Director of DPH, or his designee, to increase or decrease LAUSD, CC, NEW and SBS maximum County obligation and/or to reallocate up to 25 percent based on performance and/or underutilization of funds, contingent upon the availability of funds, during the term of the agreement, subject to review and approval by County Counsel and Chief Executive Officer and notification to the Board offices.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Approval of the recommended actions will enable the DPH Injury and Violence Prevention Program (IVPP), to enter into agreements with LAUSD, CC, NEW, and SBS for the provision of CPSTFP services.

The agreements with the agencies will allow IVPP to continue its program of distribution of child passenger safety seats and safety seat vouchers, as well as providing child safety seat education and training to parents or caregivers of young children from low-income families. The continued provision of these services is an effective means of enhancing the safety of children in Los Angeles County.

SBS will provide programmatic technical assistance in accordance with their written scope of work to the three contractors participating in the CPSTFP. Specifically, SBS will provide the following services:

1. Conduct one, three to six hour orientation workshop on the CPSTFP for each contractor.
2. Prepare and maintain a listing of all child passenger restraint low-cost purchase or loaner programs in Los Angeles County, and update the list semiannually (reference: California Vehicle Code, section 27360).
3. Provide each contractor agency with essential technical resources, including access to current technical materials, current lists of recalls and replacement parts for child restraints, child restraint manufacturers' instructions, and reproducible materials for clients, in English, Spanish and any other available languages. Also, if requested by one or more contractors, provide guidelines and materials needed to maintain Child Passenger Safety Technician Certification.
4. Provide a minimum of two teleconferences per year for contractor staff.
5. Conduct a maximum of two site visits per year, per contractor for technical assistance, if needed, and only as requested to do so by IVPP to assist contractors in implementing their program objectives.
6. Assist contractors in planning evaluation activities in their service areas at their request.

Two existing positions, a Research Analyst III (100 percent) and an Administrative Assistant III (85 percent) will be assigned to implement and support the program, effective upon the date of Board approval through November 5, 2008. The Administrative Assistant III provides support 15 percent of the time to the "Wear It For Life" program, Office of Traffic Safety Grant. Implementation and program activities include monitoring the scope of work and measurable objectives for each contract agency, thereby ensuring that the goals and objectives are accomplished and are cost effective.

FISCAL IMPACT/FINANCING

The total program cost for the four agreements is \$1,523,000, which consists \$550,000 for LAUSD (\$110,000 per year), \$275,000 for CC (\$55,000 per year), \$550,000 for NEW (\$110,000 per year), and \$148,000 for SBS (\$29,561 per year). DPH Personnel costs of \$242,986, and operating expenses of \$20,000, will be adjusted annually, as necessary.

The program cost is 100 percent offset by revenue from fines collected by the courts for the misuse or non-use of child passenger safety seats. Contract funding is being used to reimburse service providers for the cost of safety seats or safety seat vouchers, staff salaries and benefits, and organizational operating costs.

There is no net County cost associated with this action.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

California Vehicle Code, section 27360, prohibits drivers from transporting children in motor vehicles without properly securing the children in approved safety seats. Violations are punishable by fines. However, section 27360 (d)(1)(A), states that a fine may be waived, *"if the defendant establishes to the satisfaction of the court that he or she is economically disadvantaged, and the court, instead, refers the defendant to a community education program that includes, but is not limited to, education on the proper installation and use of a child passenger restraint system for children of all ages, and provides certification to the court of completion of that program."*

The law sets a mandate for local jurisdictions in California Vehicle Code section 27360(e)(1)(A), by stating that 60 percent of the fines collected for violations must be allocated to health departments and used *"for a community education program that includes, but is not limited to, demonstration of the installation of a child passenger restraint system for children of all ages and also assists an economically disadvantaged family in obtaining a restraint system through a low-cost purchase or loan."* The remainder of the fine revenue is allocated as follows: 25 percent to the county or city for the administration of the program and 15 percent to be deposited in county or city general fund. In the past, the County has used this 40 percent of the revenue for administering the program including salaries and training for staff, and for child passenger safety awareness campaigns, as allowed by the law (see California Vehicle Code sections 27366(a)(1) and (a)(2)).

To meet the State mandate, DPH developed the CPSTFP, formerly the Child Passenger Safety Seat Program (CPSSP), to provide resources to community-based organizations experienced in providing child passenger safety services to Los Angeles County families. Using these funds, the CPSTFP provided low-income families with child passenger safety education and a \$45 voucher for the purchase of a child passenger safety seat.

On March 4, 1997, the Board approved agreements with six agencies through 1998, with one-year automatic renewals through 2003, for the provision of these services. These prior agreements expired in 2003, and CPSTFP contract services have been suspended until new contracts can be finalized. In the interim, some child passenger safety seats were

distributed free of cost to low-income families through a County Hospital-based program funded by a grant from the California Office of Traffic Safety (OTS). This program was unrelated to the services required of the County under California Vehicle Code, section 27360. OTS funding for the Hospital-based program ended in June 2007.

The agreements with LAUSD, NEW, and CC will commence upon the date of Board approval and remain in force through November 20, 2008, with provisions for automatic renewals for four additional years. Subsequent agreements with SBS will be evaluated annually for renewal through November 20, 2012. All agreements are based on the availability of funds and will not be funded with net County cost.

Exhibits I and II have been approved by County Counsel as to form.

Attachment A provides additional information.

CONTRACTING PROCESS

On February 24, 2006, the DHS IVPP released a Request for Proposals (RFP) for the provision of Child Passenger Safety Seat Program (CPSSP) services throughout Los Angeles County. The IVPP's intent was to award five CPSSP services agreements one per Supervisorial District. However, the process resulted in only two agencies submitting proposals, LAUSD (to serve Supervisorial Districts 2 and 3) and CC (to serve Supervisorial District 1). The two agencies selected indicated that they were not interested or capable of providing services to Supervisorial Districts 4 and 5. In an effort to provide services in Supervisorial Districts 4 and 5, IVPP contacted a number of providers which had been awarded contracts in previous years. However, these providers were not interested. During this process, NEW contacted IVPP and expressed an interest in providing the services. After a review of its experience and capabilities, NEW was identified as a highly qualified agency that could provide excellent CPSSP services in Supervisorial Districts 4 and 5. NEW meets all of the requirements specified in the RFP.

NEW is a non-profit agency, with a 21-year record of programmatic and administrative effectiveness as a community-based organization, having provided educational and traffic safety training to more than 2,000 individuals. NEW has conducted community-based child passenger safety training for residents of the City of Los Angeles since 2002, and indicated willingness to carry out the specific educational and traffic safety training programs required by CPSTFP in Supervisorial Districts 4 and 5. NEW has offices in San Pedro and Canoga Park and established relationships with many other community-based organizations in the San Fernando Valley and the South Bay that will collaborate in providing classroom space and car seat distribution venues. NEW is willing to establish similar relationships with organizations in the Antelope Valley.

Honorable Board of Supervisors
November 20, 2007
Page 6

In addition, IVPP determined that it would require programmatic technical assistance to administer the CPSTFP contract program. SBS was awarded a sole source agreement based on its leadership and experience in the field of child passenger safety, its extensive experience working with community-based organizations and agencies in Los Angeles County, and its superb technical resources, including education and audio visual material.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Approval of the recommended action allows IVPP to continue the provision of CPSTFP services, distribution of child passenger safety seats, and vouchers, and the provision of child passenger safety education and training to parents or caregivers of children from low-income families in each of the five Supervisorial Districts.

CONCLUSION

DPH requires four signed copies of the Board's action. It is requested that the Executive Officer of the Board notifies the DPH Contracts and Grants Division at (213) 240-8179 when this document is available.

Respectfully submitted,



WILLIAM T FUJIOKA
Chief Executive Officer

WTF: SRH:SS
DRJ:RM:lbm

Attachments (2)

c: County Counsel
Director and Health Officer, Department of Public Health